

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Steven Trotman,)	C/A No. 5:11-2091-GRA-KDW
)	
Petitioner,)	
vs.)	
)	
Warden Stevenson,)	ORDER
)	
Respondent.)	

Petitioner, proceeding pro se and *in forma pauperis*, brought this action seeking relief pursuant to 28 U.S.C. § 2254. Respondent filed a motion for summary judgment on November 30, 2011. ECF No. 19. As Petitioner is proceeding pro se, the court entered an order on December 1, 2011, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of a motion for summary judgment and of the need for him to file an adequate response. ECF No. 20. Petitioner was specifically advised that if he failed to respond adequately, Respondent's motion may be granted, thereby ending this case.

Petitioner has not yet filed his response, which originally was due January 6, 2012. Petitioner filed three motions for extension of time on January 4, 2012, January 31, 2012, and February 29, 2012, requesting additional time to respond to Respondent's Motion for Summary Judgment. ECF Nos. 26, 29, 32. Text Orders were issued on January 5, 2012, February 3, 2012, and March 1, 2012, granting the requested extensions. ECF Nos. 27, 30, 33. In the Text Order issued on March 1, 2012, the court granted Petitioner's third request for an extension of time within which to respond to Respondent's motion, but cautioned him

that no further extensions would be granted. ECF No. 33. With the third extension, Petitioner's response was due April 9, 2012. *Id.*

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order and in its most recent order extending his time to respond, Petitioner has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, Petitioner is directed to advise the court whether he wishes to continue with this case and to file a response to Respondent's motion for summary judgment no later than May 11, 2012. Petitioner is further advised that if he fails to respond, the undersigned may recommend this action be dismissed with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is fluid and cursive, with the first name "Kaymani" being more prominent than the last name "West".

April 25, 2012
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge